

JURISDICTION:

PENNSYLVANIA

General Reference:

This chapter summarizes Pennsylvania State statutes related to speed.
Pennsylvania Statutes Annotated

Basis for a Speed Law Violation:

Basic Speed Rule:

No person shall drive vehicle at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. Title 75, §3361

**Statutory Speed Limit:
See Other below.**

65 MPH on certain interstate highways and freeways¹ Title 75, §3362(a)(1.1)
55 MPH on other highways Title 75, §3362(a)(2)
35 MPH in urban districts Title 75, §3362(a)(1)
15 MPH in a school zone Title 75, §3365(b)

Posted (Maximum) Speed Limit:

Based on engineering and traffic investigations, the State or a local government on highways under their jurisdictions may increase or decrease the above speed limits on the highways under their jurisdiction.² Such speed limits "may vary for different weather conditions and other factors bearing on safe speeds." Title 75, §§3362(a)(3) & 3363 Note: Pennsylvania law does not specifically state whether different highway speed limits may be established either for different types of vehicles or for different times of the day.

Minimum Speed Limit:

I. No person shall drive a motor vehicle at such a slow speed as to impede the normal and reasonable movement of traffic. Title 75, §3364(a)
II. A person, driving at less than the normal speed of traffic, shall drive in the right-hand lane then available for traffic or as close as practicable to the right-hand curb or edge of the roadway. Title 75, §3301(b)

Posted (Minimum) Speed Limit:

Based on engineering and traffic investigations, the State or a local government may establish minimum speed limits on the highways under their jurisdiction. Title 75, §3364(c)

Other:

I. Based on engineering and traffic investigations, the State or a local government may establish maximum safe speed limits for bridges and elevated structures under their jurisdiction. Title 75, §3365(a)
II. Based on engineering and traffic investigations, the State or a local government may establish a maximum safe speed for certain heavy vehicles when traveling upon certain hazardous grades. Title 75, §3365(c)

Adjudication of Speed Law Violations:

Civil/Criminal Adjudication of Violation:

All Speed Law Violations are Summary Offenses. Title 75, §§3362(c), 3365(d) & 6502(a)

**Adjudication of Speed Law Violations:
(continued)**

Other:

Sanctions Following an Adjudication of a Speed Law Violation:

Criminal Sanctions:

¹This speed limit applies only on interstate highways outside of urbanized areas with a population $\geq 50,000$ and freeways where the State has posted such a speed limit. Title 75, §3362(a)(1.1)(i) & (ii)

²However, a maximum speed limit so established cannot exceed (1) the statutory 65 MPH speed limit for certain interstate highways and freeways or (2) 55 MPH for other highways. Title 75, §3363 - 209 -

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Imprisonment:

Term (Day, Month, Years,

Etc.):

None

Mandatory Minimum Term:

Fine:

Amount (\$ Range):

Except for the Offenses Indicted-\$25³ Title 75, §6502(a)

Exceeding the Maximum or Posted Maximum Speed Limit-I. \$42.50 for exceeding 65 MPH⁴ II. \$35 for other speeding violations⁴ Title 75, §3362(c)(i) & (ii)

Exceeding the Maximum Speed Limit for Bridges, School Zones & Hazardous Grades-\$35⁴ Title 75, §3365(d)

Mandatory Min. Fine (\$):

None

Other Penalties:

Traffic School:

For either a 1st or 2nd accumulation of 6 points on their driving record, an offender shall either be required to attend Drive Improvement School or under go a driver license examination. Title 75, §§1538(a) & 1549(a)

Other:

Surcharges. I. Except as noted, an offender is assessed a mandatory surcharge of **\$30** for speeding violations. Title 75, §6505(a)(1)

II. For exceeding the maximum or posted maximum speed limit, an offender is assessed mandatory surcharges from **\$30 to \$50**.⁵ Title 75,

³This fine applies to violations of the Basic Speed Rule, the Minimum Speed Rule and Posted Minimum Speed Limits.

⁴Plus an additional **\$2** for every MPH in excess of 5 MPH over the speed limit. Title 75, §§3362(c)(2) & 3365(d)

⁵A surcharge of \$30 is assessed for exceeding the speed limit by either 6 to 10 MPH or 11 to 15 MPH. A surcharge of \$40 is assessed for exceeding the speed limit by 16 to 25 MPH. And, a surcharge of \$50 is assessed for exceeding the speed limit by ≥26 MPH. Title 75, §6506(a)(4)(i), (ii) & (iii)

§6506(a)(4)

Licensing Action:	
Type of Licensing Action	
(Susp/Rev):	Suspension via a Point System ⁶ Title 75, §§1535, 1538 & 1539
<u>Sanctions Following an Adjudication of a Speed law Violation:</u>	
(continued)	
Term of License Withdrawal	
(Days, Months, Years, etc.):	Not more than 1 year ⁶ Title 75, §1539
Mandatory Minimum Term of	
Withdrawal:	None An offender is eligible for an occupational limited license. Title 75, §1553
Miscellaneous Sanctions	
Not Included Elsewhere:	Double Fines. for a violation of either the Basic Speed Rule (Title 75, §3361) or Maximum or Posted Maximum Speed Limits (Title 75, §3362) in

⁶**Point System.** I. When an offender's point accumulation is reduced below 6 and they again accumulate 6 points for the second time, they are subject to a suspension of ≤15 days. Title 75, §1538(b) II. When an offender's point accumulation is reduced below 6 and they again accumulate 6 points for the third time, they are subject to a suspension of ≤30 days. Title 75, §1538(c) III. When an offender has accumulated 11 points or more, they are subject to license suspension as follows: If this is a 1st suspension, 5 days suspension for each point; if this is a 2nd suspension, 10 days suspension for each point; if this is a 3rd suspension, 15 days suspension for each point; and, if this is a subsequent suspension, a 1 year suspension. Title 75, §1539(a) & (b) IV. The following points have been assigned to speeding and speed related violations: Basic speed rule violation-2 points; careless driving-3 points; exceeding the maximum or posted maximum speed limit by 6 to 10 MPH-2 points; exceeding the maximum or posted maximum speed limit by 11 to 15 MPH-3 points; exceeding the maximum or posted maximum speed limit by 16 to 25 MPH-4 points; exceeding the maximum or posted maximum speed limit by 26 to 30 MPH-5 points; and, exceeding the maximum or posted maximum speed limit by 31 MPH-5 points. Title 75, §1535(a) Note: The point schedule does not include points for driving less than the normal speed of traffic and not driving in the right lane.

Drivers Under 18 Years Old. A driver <18 years old is subject to the following additional license suspensions if they either (1) drive ≥26 MPH over the posted speed limit or (2) accumulate 6 or more points before reaching 18 years old. A 1st suspension is for 90 days and any subsequent suspension is for 120 days. Suspensions "shall be imposed consecutively to each other and to any other suspension." In addition, a suspension "shall be considered a subsequent suspension even if it is imposed contemporaneously with a first suspension" under this section. Title 75, §1538(e)

Junior Drivers. Under separate provisions of law, a "junior driver" (a licensee 16 or 17 yrs old) is subject a suspension of their driving privileges until they are 18 years old or for a period not to exceed 90 days if they are convicted of **any** violation of Title 75. This licensing action is in addition to any other licensing action. Title 75, §1503(c)(3)

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either a construction or maintenance area manned by workers acting in their official capacity, the fines are double the usual amount. Title 75, §3326(c)

Excessive Speeding. An offender, who has been convicted of exceeding the maximum or posted maximum speed limit by ≥ 31 MPH, is subject to one or more of the following sanctions: (1) Driver improvement school; (2) an license examination or (3) license suspension for ≤ 15 days. Title 75, §1538(d)

Other Criminal Actions Related to Speeding:

Racing on Highway:

Sanctions:

Criminal Sanction:

Imprisonment (Term):

Mandatory Minimum Term:

Fine (\$ Range):

Mandatory Minimum Fine:

Administrative Licensing Action:

Licensing Authorized and

Type of Action:

Length of Term of

Licensing Withdrawal:

Summary Offense Title 75, §3367(b) & (d)

1st offense-None Subsequent offense-Not more than 6 months Title 75, §6503

None

1st offense-\$200 Title 75, §3367(d) Subsequent offense-\$200 to \$1,000 Title 75, §6503

None

See **Junior Drivers** under Footnote No. 6.

Suspension Title 75, §1532(b)

6 months Title 75, §1532(b)

Other Criminal Actions Related to Speeding: (continued)

Racing on Highway: (continued)

Mandatory Action--Minimum

Length of License

Withdrawal:

6 months Title 75, §1532(b) Note: An offender is not eligible for occupational driving privileges. Title 75, §1553(d)(11)

Other:

Surcharge. An offender is assessed a mandatory surcharge of **\$30**. Title 75, §6505(a)(1)

Reckless Driving:

Sanction:

Criminal:

Imprisonment (Term):

Mandatory Minimum Term
of Imprisonment:

Fine (\$ Range):

Mandatory Minimum Fine:

Summary Offense Title 75, §3736(a) & (b)

None

\$200 Title 75, §3736(b)

None

See **Junior Drivers** under Footnote No. 6.

Suspension Title 75, §1532(b)

6 months Title 75, §1532(b)

Administrative Licensing Actions:

Type of Licensing Action

(Susp/Rev):

Length of Term of License

Withdrawal Action:

Mandatory Term of License

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Withdrawal Action:	6 months Title 75, §1532(b) Note: An offender is not eligible for occupational driving privileges. Title 75, §1553(d)(11)
Other:	Surcharge. An offender is assessed a mandatory surcharge of \$30 . Title 75, §6505(a)(1) Double Fines. for a reckless driving offense that was committed in either a construction or maintenance area manned by workers acting in their official capacity, the fines are double the usual amount. Title 75, §3326(c)
<u>Careless Driving:</u>	Summary Offense Title 75, §3714
Sanction:	
Criminal:	
Imprisonment (Term):	None
Mandatory Minimum Term of Imprisonment:	
Fine (\$ Range):	\$25 Title 75, §6502
Mandatory Minimum Fine:	None
Administrative Licensing Actions:	
Type of Licensing Action (Susp/Rev):	Suspension via a Point System ⁶ Title 75, §§1535, 1538 & 1539
Length of Term of License	
Withdrawal Action:	55 days to 1 year ⁶ Title 75, §1539
<u>Other Criminal Actions Related to Speeding:</u> (continued)	
<u>Careless Driving:</u> (continued)	
Mandatory Term of License	
Withdrawal Action:	None An offender is eligible for an occupational limited license. Title 75, §1553
Other:	Surcharge. An offender is assessed a mandatory surcharge of \$30 . Title 75, §6505(a)(1) Double Fines. For a careless driving offense that was committed in either a construction or maintenance area manned by workers acting in their official capacity, the fines are double the usual amount. Title 75, §3326(c)
<u>Commercial Motor Vehicle (CMV) Operators:</u>	
<u>Grounds for Disqualification:</u>	A person is disqualified from operating a CMV if while driving such a

⁷"Careless driving" is defined as driving "a vehicle in careless disregard for the safety of persons or property." Title 75, §3714

⁸A person who has obtained a commercial driver's license (CDL) and is qualified to operate a commercial motor vehicle. A commercial motor vehicle is defined as a vehicle designed to carry either passengers or property and either has a gross vehicle weight of $\geq 26,001$ lbs., is designed to transport 16 or more persons, or is transporting hazardous materials which requires that the vehicle to be placarded in accordance State regulations. Title 75, §1603

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vehicle they either (1) commit 2 "serious traffic violations" within a 3 year period or (2) commit 3 such violations within a 3 year period. Title 75, §1611(D)

Period of Disqualification:

2 serious violations (within 3 years)-**60 days** 3 serious violations (within 3 years)-**120 days** Title 75, §1611(D)

Period of Mandatory Disqualification:

2 serious violations (within 3 years)-**60 days** 3 serious violations (within 3 years)-**120 days** Title 75, §1611(D)

⁹A "serious traffic violation" includes exceeding the speed limit by 15 or more MPH or reckless driving. Title 75, §1603 & 49 CFR §383.5

